

30.08.2023
SL. 13
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3286 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Nager Bazar** Police Station Case No. **206 of 2023** dated **14.06.2023** under Sections **417/376/506** of the IPC.

And

In the matter of: **Ranjit Bose @ Ranit Bose**

....petitioner.

Mr. Milon Mukherjee, Sr. Adv.
Mr. Dattatreya Dutta

...for the petitioner.

Mr. Bidyut Kumar Roy
Ms. Sima Biswas

...for the State.

1. Heard learned Counsel for both the parties.
2. Learned Counsel for the petitioner is allowed to make necessary correction in the cause title so far as the name of the petitioner is concerned in course of the day.
3. Both the victim and the petitioner are major. This is a case of acquaintance, intimacy, romantic relationship, sexual act without protection, pregnancy and desertion by the petitioner when he was told by the victim about her pregnancy.
4. From the materials on record, i.e., FIR, statement of the victim recorded under Section 164 Cr.P.C., medical history narrated by the victim before the Medical Officer who conducted beta gravindex test, etc. it is clear that the relationship developed with the consent of the victim but one thing is clear that in spite of her request the petitioner had not taken protection at time of sex.
5. The investigation is stated to have progressed substantially.
6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that

the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that:

- i) The petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
- ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

7. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
8. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
9. Accordingly, the prayer for the anticipatory bail is allowed.
10. The application being **CRM (A) 3286 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

